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**COUNSEL FOR THE JOINTLY
ADMINISTERED DEBTORS**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:	§	
	§	CASE NO: 18-43727-mxm-11
CONEX EQUIPMENT	§	
MANUFACTURING, LLC, <i>et al.</i>¹	§	CHAPTER 11
	§	
Debtors.	§	(Jointly Administered)

**MODIFICATION TO DEBTORS' FIRST AMENDED JOINT PLAN OF
REORGANIZATION PURSUANT TO 11 U.S.C. § 1127(A) AND
FEDERAL RULE OF BANKRUPTCY PROCEDURE 3019(A)**

**TO THE HONORABLE MARK X. MULLIN,
UNITED STATES BANKRUPTCY JUDGE:**

Conex Equipment Manufacturing, LLC ("Conex"), C.R.P. Machine and Welding, Inc. ("CRP") and Ronald Lynn Perdue and Cathy Lea Perdue (the "Perdues"), jointly administered Debtors in Possession (collectively the "Debtors"), hereby modify (the "Modification") their First Amended Joint Plan of Reorganization [Docket No. 129] as follows:

¹ The jointly administered Debtors are Conex Equipment Manufacturing, LLC, a Texas limited liability company, Case No. 18-43727-mxm-11, C.R.P. Machine and Welding, Inc., a Texas corporation, Case No. 18-43729-mxm-11, and the Ronald Lynn Perdue and Cathy Lea Perdue, as jointly filed individuals, Case No. 18-4731-mxm-11. All pleading and notices affecting any of the Debtors should be filed in the Lead Case.

I.

MODIFICATION

Section 6.2 of the Plan is modified to state that the Debtors will borrow \$80,000 from Joyce Ann Lennard to help fund the \$120,000 lump sum payment owed to Trench Tech, Inc., on or before July 1, 2019. Conex and CRP will execute a Secured Promissory Note (the "Note") payable to Joyce Ann Lennard to evidence that indebtedness. The Note will bear interest at 18% annually and will be payable over five (5) years in equal monthly payments of \$2,031.47, beginning on August 15, 2019, with no penalty for prepayment. A true and correct unsigned copy of the Note is attached hereto, incorporated herein by this reference, and marked as **Exhibit "1."**

The Note will be secured by a second lien deed of trust (the "Lennard Deed of Trust"), junior to the existing first lien Deed of Trust held by Colonial Savings, F.A., on the real property located at 5255 Wilbarger Street, Fort Worth, Texas 76119 (the "Real Property"). Perdue Management, LLC, a non-debtor affiliate, and owner of the Real Property, will execute the second lien deed of trust (the "Lennard Deed of Trust"). A true and correct unsigned copy of the Lennard Deed of Trust is attached hereto, incorporated herein by this reference, and marked as **Exhibit "2"**.

All references in Section 6.2 to Debtors borrowing additional funds from Colonial Savings, F.A. to fund payments due under the Plan are deleted.

II.

APPROVAL BY COURT

The Plan has not yet been confirmed. Pursuant to 11 U.S.C. § 1127(a) and Federal Rule of Bankruptcy Procedure 3019(a), and subject to Court approval at the confirmation hearing scheduled on June 27, 2019, this Modification is incorporated into the Plan. This Modification

does not adversely change the treatment accorded to any class of claims and complies fully with 11 U.S.C. §§ 1122 and 1123.

III.

REQUESTED RELIEF

WHEREFORE, PREMISES CONSIDERED, the Debtors request that the Court approve the Modification and incorporate it into the Plan.

June 24, 2019.

Respectfully submitted,

WHITAKER CHALK SWINDLE & SCHWARTZ PLLC

By: /s/ Robert A. Simon

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ATTORNEYS FOR THE DEBTORS

CERTIFICATE OF SERVICE

I hereby certify on this 24th day of June, 2019, I served a true and correct copy of the foregoing *Modification of Debtors' First Amended Joint Plan of Reorganization* upon all parties registered to receive electronic service via this Court's ECF notification system and upon the attached service list by First Class United States Mail in a properly addressed envelope, postage prepaid.

/s/ Robert A. Simon

Robert A. Simon

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